



## Stages:

### *Connections with the IDEA Law*

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How does Stages fit in with the law? Three significant federal laws apply directly to requests for accommodations in educational and employment settings for both adults and children with disabilities. These are the Americans with Disabilities Act of 1990 (ADA); Section 504 of the Rehabilitation Act of 1973; and perhaps most importantly for Stages learners, IDEA, the Individuals with Disabilities Education Act (Public Law 94-142 and its amendments).

IDEA guarantees the right of all learners with special needs to a free and appropriate education in the least restrictive environment. In developing an Individualized Education Plan (IEP), parents, teachers, and administrators are required to consider any assistive technologies that may be useful in helping a learner meet the objectives stated in the IEP.

The following passages are quoted from the IDEA Act Law, which can be found at the Web site [www.ideapractices.org/idearegsmainTopicIndex.htm](http://www.ideapractices.org/idearegsmainTopicIndex.htm). The **bold** passages indicate the areas in which Stages can play a major role in the implementation of IDEA.

#### **§300.347 Content of IEP.**

- (a) General. The IEP for each child with a disability must include—
- (1) **A statement of the child's present levels of educational performance...**
  - (2) **A statement of measurable annual goals, including benchmarks or short-term objectives...**
  - (3) A statement of the special education and related services and supplementary aids and services to be provided to the child, or on behalf of the child, and a **statement of the program modifications or supports** for school personnel that will be provided for the child...
  - (4) An explanation of the extent, if any, to which the child will not participate with nondisabled children in the regular class and in the activities described in paragraph (a)(3) of this section;
    - (i) **A statement of any individual modifications in the administration of State or district-wide assessments of student achievement** that are needed in order for the child to participate in the assessment; and
    - (ii) If the IEP team determines that the child will not participate in a particular State or district-wide assessment of student achievement..., a statement of -
      - (A) Why that assessment is not appropriate for the child; and
      - (B) **How the child will be assessed;**
  - (7) A statement of -
    - (i) **How the child's progress toward the annual goals described in paragraph (a)(2) of this section will be measured;**

#### **§300.138 Participation in Assessments.**

The State must have on file with the Secretary information to demonstrate that—

1. Children with disabilities are included in general State and district-wide assessment programs, **with appropriate accommodations and modifications in administration**, if necessary;
- (b) As appropriate, the State or LEA (local education agency) —
  - (1) Develops guidelines for the participation of children with disabilities **in alternate assessments for those children who cannot participate in State and district-wide assessment programs**;
  - (2) **Develops alternate assessments**, in accordance with paragraph (b)(1) of this section;
  - (3) Beginning not later than July 1, 2000, **conducts the alternate assessments** described in paragraph (b)(2) of this section.

### **§300.5 Assistive Technology Device.**

**All IEP's must now also consider assistive technology.**

**Consider Assistive Technology** (from <http://ericec.org/digests/e578.html>)

The IEP must consider whether the child requires assistive technology devices and services in order to meet his or her educational goals and access the general education curriculum.

An assistive technology device is broadly defined in IDEA '97 as any piece of equipment or product system, whether commercially off the shelf or customized, that is used to increase, maintain, or improve the functional capabilities of a child with a disability. An assistive technology service means any service that directly assists a child with a disability in the selection, acquisition, or use of an assistive technology device.

In determining if the child requires assistive technology devices and/or services, the IEP team may ask the following questions: Does the student need technology in order to perform fundamental functions, such as communication or mobility? What technology devices and/or services may help the student achieve his or her annual goals?

If the IEP team determines that the child requires an assistive technology device and/or service, team members must develop a **present level of educational performance, annual goals, and benchmarks or short-term objectives** in the appropriate areas and state them on the IEP. If the child needs to use the device at home in order to receive a free, appropriate public education, the child must be permitted to use the device at home or in other settings at no cost to the parents.

Thus, Stages resources improve the functional capabilities of a special needs learner in many ways:

- *Stages Assessment Software* documents a learner's current performance level in specific areas of functioning, accompanied by hard data.
- *Stages Assessment Software* provides a valuable alternative assessment tool containing a multitude of activities that can be aligned with state and district curriculum frameworks. Without such resources special educators are left to design alternative assessments from the ground up, resulting in an enormous loss of time from service delivery to students.
- The *Stages Assessment Software* provides an opportunity for a student with access issues to participate in an authentic, performance-based assessment.
- The *Software Feature Comparison Charts* guide educators in the selection of appropriate software tools proven to support identified student needs for skill development and practice in specific academic areas such as math, reading, and writing.
- Once an assessment has been completed, the *Stages book* helps educators translate the information gained about the learner through the assessment activities and observations into measurable IEP goals and objectives based on real information about what the learner can do and needs to work on.
- The off-computer extension activities outlined in the *Stages book* provide paraprofessionals supporting special needs students with meaningful activities to facilitate the development of skills in identified areas of weakness.